

Washington Update

November 26, 2013

Budget: Time ticking on CR, NACDD Heard on the Hill

Health and Entitlements: Some changing dates for ACA, Webinar on Medicaid Managed Care, Congress Examines SSA

Employment: Visit to Governor Christie's office, 503 Regulations meet lawsuit, WIA on Senate calendar

Education: Letter to Secretary Duncan on Teacher Quality, New Campaign Site for Restraint & Seclusion

International: Second hearing for Disability Treaty, International Day of Persons with Disabilities

In Other News: White House summary of DD Act celebration, New siblings publication, Nuclear Option and DD Community

The Face of Congress: Duck Dynasty helps elect new Congressman, Meet your Member Senator Reid

Budget

- **Time Ticking on Current Continuing Resolution**

Both chambers are now on recess for the Thanksgiving holiday with the House returning to business on December 1 and the Senate back in Washington on December 9. NACDD has been meeting with staff of both chambers for the latest on the discussion around the bicameral budget conference that is meant to yield a plan by **December 13, 2013**. This would be just in time to prepare a bill for passage to fund the government after the current deal runs out on **January 15, 2014**.



NACDD, AUCD, The Arc, and United Spinal run into a festive Senate staffer on the way to meeting with budget staff

- **NACDD Learns Latest on Budget from Hill Meetings**

Although not confirmed publicly yet, NACDD has learned from key Senate staff that a budget deal is making progress and that the leaders of the budget conference, Senator Murray (D-WA) and Congressman Ryan (R-WI) are getting close to an agreement in time for a reveal the week of December 8. The deal would raise the topline budget by 60-70 billion (with a one to one replacement for non-discretionary to defense spending). Mandatory programs would not see a hit with the exception of a slight change to Medicaid Disproportionate share hospital (DSH) payments. It also is sounding like tax reform and tax hikes are off the table with the increase being paid for with fees from adjustments to programs like federal retirement. Read this [Washington Post article](#) that seems to echo some of these predictions. Regardless of what emerges, Speaker Boehner has [committed that the House will take up a bill](#) with current discretionary cuts in place (at \$967 billion level) to keep the government open after January 15.

NACDD staff has also begun discussions with key Hill staff and OMB on FY2015 funding for DD Councils. Stay tuned for the next Washington Update to see how the December deal is taking shape and for the readouts on FY2015 funding!

Health and Entitlements

- **Latest on the ACA and Changing Dates**

As previously reported, the Affordable Care Act (ACA) enrollment website, www.healthcare.gov, has been undergoing maintenance and is planned to be back in working form by November 30. In the meantime, the Obama Administration has made changes to dates to address the enrollment issues Americans are facing.

On [November 14, President Obama announced](#) that individual states could decide whether to extend insurance plans for a year that were noncompliant with the ACA in order to prevent the cancellation of existing plans. While some states like Florida, Missouri and Ohio have embraced the extension, other states like California have rejected it.

Last week the Administration [announced two key date changes](#) to ACA enrollment. The enrollment deadline to receive coverage by January 1, previously set at December 15, has now been extended to December 23. The Obama Administration is also pushing back the launch date of the second enrollment period by a month to November 15, 2014. Note that the deadline to sign up for the first enrollment period remains March 31, 2014.

- **State Oversight and Quality in Medicaid Managed Care**

NACDD is pleased to be a new member of the [Friday Morning Collaborative](#), a coalition of national disability and aging organizations working together to advance home and community-based services. On December 6 from 2-3:30PM ET, the Friday Morning Collaborative will be hosting a webinar on state implementation of Medicaid managed long-term services and supports. The program will include expertise from states like Tennessee and Arizona as well as guidance from CMS on the External Quality Review and best practices. [Space is limited so please register early](#) (closed captioning will be available and the webinar will be recorded).

- **Congressional Subcommittee Examines Mismanagement of Federal Disability Programs**

The House Subcommittee on Energy Policy, Health Care and Entitlements, under the Committee of Oversight and Government Reform, [examined the topic of mismanagement of federal disability programs](#) on November 19. Witnesses included the Inspector General of the Social Security Administration (SSA), Patrick O'Carroll, and the Deputy Commissioner of SSA. While O'Carroll acknowledged issues like a recent conspiracy in Puerto Rico, he testified that his office worked diligently to prevent fraud and explained how the agency sought retribution from fraudulent claimants. O'Carroll also emphasized the importance of funding SSA in order to continue oversight expectations.

Employment

- **NACDD and NJ DD Council visit with Governor Christie's Office**



On November 20 NACDD's Esmé Grant joined New Jersey DD Council Executive Director Alison Lozano and Council Member and Vice Chair Christopher Miller (who serves on NACDD's Board) along with other disability organizations and the New Jersey Chamber of Commerce to meet with Governor Christie's lead policy staff about implementation of Governor Markell's blueprint, [A Better Bottom Line: Employing People with Disabilities](#). Governor Christie's staff committed to continue the conversation in the new year by taking meaningful steps towards change

beginning with a number of options as soon as this spring. Following the meeting with the Governor's office and with the leadership of RespectAbility USA, the coalition also met with the Editorial Board of the Star Ledger, New Jersey's major newspaper to discuss media interest in the topic of disability employment. If you are interested in initiating a coalition meeting with your governor and/or have done work in your state on the blueprint, please contact egrant@nacdd.org. There is still time to fill out and share the [RespectAbility employment poll](#) which needs your input!

- **503 Regulations Nears Implementation as Lawsuit Emerges**

After years of advocacy from disability organizations, [August yielded final rules on Section 503](#) of the Rehabilitation Act of 1973. Section 503 of the Rehab Act deals with federal contractors and the new rules require a utilization goal of all federal contractors to hire at least 7% people with disabilities. The rules include guidance for how contractors can track their hiring of people with disabilities as well as how to invite employees to self-identify. Set to take effect in March of 2014, the rules will continue to face challenges including a [lawsuit filed by the Associated Builder and Contractors on November 19](#), arguing that the construction industry should be exempt from the requirements. Note that a Congressional [hearing in the Subcommittee on Workforce Protections](#) has been scheduled for December 4, likely including an examination of the rules as well.

- **WIA moves to the Senate calendar!**

The Workforce Investment Act (WIA, S. 1356) which was voted out of the HELP Committee this summer was put on the Senate calendar on November 12. [See Order Number 243](#). At this time, the bill is expected to be considered by the full Senate in the early part of 2014.

Education

- **Secretary Duncan Gets a Letter about Teacher Quality**

NACDD is part of the Coalition for Teaching Quality, an alliance of 96 organizations working to ensure the quality of teachers for all students. The group formed in response to the 2010 Continuing Resolution that contained language allowing teachers in alternative route programs to be classified as “highly qualified” without notice to parents or the public. This language was added in October’s CR with an application through the end of 2016. On November 18, the coalition [sent a letter to Secretary of Education Duncan](#) expressing that teacher quality must be clarified within the reauthorization of the Elementary and Secondary Education Act. The letter also provided six recommendations for data collection required by the Department of Education on how students, including those with disabilities, are impacted by teachers using the “highly qualified” permission.

- **New Campaign Site for Restraint and Seclusion Legislation**

Make sure to check out the [Stop Hurting Kids Campaign](#) website as the Keeping Students Safe Act awaits introduction in the Senate. Currently Senator Harkin (D-IA) is working on finalizing the language of the bill and building bipartisan cosponsors. Introduction is expected before the end of 2013.

International

- **Second Senate Hearing for Disability Treaty (CRPD)**

A second hearing was held for the Disability Treaty on November 21 in the Senate Foreign Relations Committee. If you missed it, you can [watch the full hearing](#) on the SFRC site. Witnesses included Secretary John Kerry who testified in support of the treaty for its international benefits and Frances West of IBM on behalf of the business community.



NACDD joins Best Buddies on the Hill for CRPD hearing

- **International Day of Persons with Disabilities**

[December 3 is the International Day of Persons with Disabilities](#) with the theme this year of “Breaking Barriers, Open Doors: for an inclusive society and development for all.” Honor the DD community around the world like some Councils have already done by spreading the word and use the day to organize, celebrate, and/or take action!

In Other News

- **White House Celebrates the DD Act**

NACDD was pleased to join so many DD leaders at the 50th celebration of the DD Act on November 15. Panels looked back at how far the U.S. has come in achieving the goals of the DD Act and forecasted what is to come in the next fifty years. If you missed the event, check out the [Administration for Community Living summary](#).



NACDD CEO **Donna Meltzer** moderates a panel at White House DD Celebration with panelists (left to right):

Deborah Spitalnik, ED, Elizabeth M. Boggs Center

Elizabeth Weintraub, Self-Advocacy Specialist, AUCD

Nancy Thaler, ED, NASDDDS

Kathy Greenlee, Asst. Secretary on Aging and Administrator, HHS Administration for Community Living

- **New DD Councils Supporting Siblings Publication**

Check out this great [new publication](#) on supporting siblings of people with disabilities made in partnership with NACDD and the Sibling Leadership Network. Also, if you missed the Affordable Care Act webinar for and by sibs hosted by the Sibling Leadership Network, you can [access it here!](#)

- **Senator Reid's Nuclear Option and Its Impact on DD Community**

Folks attending or watching the CRPD hearing last Thursday were subjected to a break in the hearing as Majority Senate Leader Reid (D-NV) called a vote for the “nuclear option” on the Senate floor. Following a pattern of filibustering of President Obama’s nominations for key positions, Senator Reid [opted to call a vote to end the 61 vote threshold](#) for presidential nominations. Upon passage, nominations will only require a simple majority (51 votes). Regardless of what party leads the Senate, positions such as the Secretary of HHS, will now only require a simple majority to pass.

The Face of Congress

- **New Congressman in Louisiana**

Louisiana’s 5th District has a surprising new Congressman. Not expected to win the Special Election this month, Republican [Vance McAllister won the race](#) with help from his friends at the popular TV series, Duck Dynasty.

- **Meet your Member Spotlight: Senate Majority Leader Harry Reid (D-NV)**



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Senate Majority Leader Harry Reid was born in Searchlight, Nevada to a mother who was a laundress and a father who was a miner. He grew up in a home without an indoor toilet, hot water, or telephone. Senator Reid’s father later died of suicide when the Senator was an adult, leaving Senator Reid with his mother and three brothers. He was an amateur boxer as a young man, which may explain his now close friendship with boxing champion, Manny Pacquiao. Senator Reid pursued a legal degree and served as a city attorney before joining the Nevada Assembly. He also served for four years as the chair of the Nevada Gaming Commission and is famous for involving the FBI in cracking a bribery scheme. Senator Reid joined the House of Representatives in 1983 and the Senate in 1987. As Senate Majority Leader of the Senate since 2007, the highest position in the U.S. Senate, Senator Reid holds the most senior elected position of any Mormon in U.S. history.

Need more information? Contact NACDD Director of Public Policy, Esmé Grant, at egrant@nacdd.org